

22 AUG 1969

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15 August 1969

OFFICE OF PERSONNEL MEMORANDUM NO. 20-31-18

SUBJECT : Dual Pay Restrictions Affecting Employment of Certain Retired Officers of the Uniformed Services

RESCISSION: OPM 20-410-29 dated 26 June 1959

1. When a retired officer of a uniformed service is first being considered for Agency employment, a determination must be made as to whether the provisions of the Dual Pay Act, 5 U. S. C. 5532, apply. If the provisions apply, the retired officer should be advised.

2. The following restrictions affect retirement pay when a retired officer of a regular component of a uniformed service is employed by the Agency:

a. During the period for which he receives full pay for the position, his retirement pay will be reduced to an annual rate equal to the first \$2,000 of the retirement pay plus one half of the remainder, if any. In the operation of the formula for the reduction of retirement pay, the amount of \$2,000 will be increased, from time to time, by appropriate percentage, in direct proportion to each increase in retirement pay to reflect changes in the Consumer Price Index.

b. The reduction in retirement pay specified above does not apply to a retired officer of a regular component of a uniformed service whose retirement was based on disability

(1) resulting from injury or disease received in line of duty as a direct result of armed conflict; or

(2) caused by an instrumentality of war and incurred in line of duty during a period of war.

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3. When the Agency has a special or emergency employment need which otherwise cannot be filled because of the above restrictions, a waiver may be requested of the Civil Service Commission. Prior to initiating formal action, the circumstances of the particular need should be reviewed with the Director of Personnel.



Robert S. Wattles  
Director of Personnel

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